

## UNITED STATES BANKRUPTCY COURT District of Nebraska

## Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 6/23/09.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

### See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Benjamin L. Martin  
4330 Quail Lane  
Grand Island, NE 68801

Alison S. Martin  
4330 Quail Lane  
Grand Island, NE 68801

Case Number:  
09-41762-TLS

Social Security / Individual Taxpayer ID / Employer Tax ID / Other  
nos:  
xxx-xx-4125  
xxx-xx-8933

Attorney for Debtor(s) (name and address):

Charles R. Maser  
Truell, Murray & Maser, P.C.  
220 Oxnard Ave  
P.O. Box 452  
Grand Island, NE 68802-0452  
Telephone number: (308) 384-0200

Bankruptcy Trustee (name and address):

John A. Wolf  
Chapter 7 Trustee  
Box 460  
Grand Island, NE 68802  
Telephone number: (308) 384-1635

### Meeting of Creditors

Date: **August 11, 2009**

Time: **03:30 PM**

Location: **Howard Johnson Riverside Inn, 3333 Ramada Road, Intersection of Hwy 34 and So Locust St, Grand Island, NE 68801**

### Presumption of Abuse under 11 U.S.C. § 707(b)

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

### Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts: 10/10/09**

### Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

### Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

### Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

### Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

#### Address of the Bankruptcy Clerk's Office:

460 Federal Building  
100 Centennial Mall North  
Lincoln, NE 68508  
Telephone number: (402)437-1625

#### For the Court:

Clerk of the Bankruptcy Court:  
Diane Zech

Hours Open: Monday – Friday 8:00 AM – 4:30 PM

Date: 6/24/09

## EXPLANATIONS

B9A (Official Form 9A) (12/07)

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|---|--|
| Filing of Chapter 7 Bankruptcy Case                     | A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.   |
| <b>Legal Advice</b>                                     | The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.   |
| Creditors Generally May Not Take Certain Actions        | Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.  |
| Presumption of Abuse                                    | If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.  |
| Meeting of Creditors                                    | A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors. At the meeting, the debtor(s) will be required to provide a picture ID to verify identification and must also provide proof of social security number to the trustee.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.  |
| Do Not File a Proof of Claim at This Time               | There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.  |
| Discharge of Debts                                      | The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline. |
| Exempt Property   | The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.   |
| Bankruptcy Clerk's Office                               | Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.  |
| Creditor with a Foreign Address                         | Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.  |
| Abandonment of Assets                                   | Within 21 days after the § 341(a) meeting is held, the trustee will file with the court a list of property to be abandoned. If no objection to the list is filed within 40 days after the § 341(a) meeting is held, the property will be deemed abandoned without further action by the court. (To determine the date the § 341(a) meeting is actually held, interested parties may contact the office of the U.S. Trustee at (402) 221-4300.  |
| Appointment of Trustee                                  | The trustee named on the front side is the interim trustee appointed by the U.S. Trustee to serve under general blanket bond.  |
| Debtor's Duty   | If the Certificate of Completion of an instructional course concerning personal financial management under 11 U.S.C. §727(a)(11) is not filed within 61 days after the first scheduled §341 meeting of creditors, the case may be closed without a discharge and a Motion to Reopen (with the full filing fee) may need to be filed to permit the filing of the certificate. <b>No advance notice of the closing will be given to the debtor.</b>  |
| Interpreter   | Language interpretation of the meeting of creditors will be provided to the debtor at no cost, upon request to the trustee, through a telephone interpreter service.   |
| Refer to Other Side for Important Deadlines and Notices |  |